REMARKS

This response is submitted in reply to the Office Action dated January 26, 2007. Claims 1-8, 11-21, 24-32 and 35-47 currently stand rejected.

In light of the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present application.

Claim Rejections Under 35 U.S.C. §102(e)

Claims 1, 3, 4, 14, 17, 25-29, 38, 39 and 41 stand rejected under 35 U.S.C. §102(e) as being anticipated by Liebenow (U.S. Patent Application Publication No. 2004/0162117). Applicants respectfully traverse.

Independent claim 1 recites, *inter alia*, a processing unit configured to execute a network association routine to create a sub-network including one or more mobile terminals or digital devices. Liebenow is directed to a cellular or cordless phone capable of power line networking using its base station and/or charger. However, Liebenow fails to teach or suggest a processing unit configured to execute a network association routine to create a sub-network including one or more mobile terminals or digital devices as recited in independent claim 1.

The Office Action cites paragraph [0018], lines 1-5 and item 130 of FIGS. 1 and 3 of Liebenow as disclosing the above recited feature. The Office Action further states that a "power line networking interface must inherently incorporate a processing unit to receive and send networking data".

Element 130, which is disclosed in FIG. 1 of Liebenow, is a power line network interface that is described at the cited passage of Liebenow as receiving and sending networking data. The Examiner has asserted that the power line networking interface must inherently incorporate a processing unit for such task. However, even if one assumes that the Examiner's assertion is correct and it is conceded that the power line networking interface inherently incorporates a processing unit to receive and send networking data, Liebenow still fails to teach or suggest a processing unit configured to execute a network association routine to create a sub-network including one or more mobile terminals or digital devices as recited in independent claim 1.

Liebenow discloses, at paragraph [0023] and FIG. 3 item 310, a data connection between the personal computer (310) and a phone. However, Liebenow fails to provide any teaching or suggestion that such data connection is a sub-network established within the power line network. Furhtermore, Liebenow fails to teach or suggest that the data connection is formed as the result of a executing a network association routine to create a sub-network. The mere fact that the cordless phone of Liebenow is an element of a power line network is in no way suggestive that a processor within the cordless phone is configured to create sub-networks among devices in the power line network via execution of a network association routine. Moreover, the current rejection fails to even provide such an assertion. Instead, the current rejection only asserts that Liebenow discloses a processing unit inherently which sends and receives network data. The Office Action fails to explain how mere sending or receiving of network data is suggestive of a configuration enabling execution of a network association routine to create sub-networks of devices within the power line network. Furthermore, Applicants respectfully submit that the entirety of the disclosure of Liebenow fails to provide any suggestion in this regard. The ability to send and receive network data to other devices on a network would not be understood by one of skill in the art as being suggestive of forming a sub-network using a network association routine. Accordingly, Liebenow fails to teach or suggest a processing unit configured to execute a network association routine to create a sub-network including one or more mobile terminals or digital devices as recited in independent claim 1 and thus independent claim 1 is not anticipated by Liebenow.

Independent claims 17 and 29 include similar recitations to that of independent claim 1 with respect to execution of a network association routine to create a sub-network including one or more mobile terminals or digital devices. Thus, independent claims 17 and 29 are not anticipated by Liebenow for at least the reasons given above for independent claim 1. Claims 3, 4, 14, 25-28, 38, 39 and 41 depend either directly or indirectly from corresponding ones of independent claims 1, 17 and 29, and thus include all the recitations of their corresponding independent claims. Therefore, dependent claims 3, 4, 14, 25-28, 38, 39 and 41 are not anticipated by Liebenow for at least those reasons given above for independent claims 1, 17 and 29.

Accordingly, for all the reasons stated above, Applicants respectfully submit that the rejections of claims 1, 3, 4, 14, 17, 25-29, 38, 39 and 41 as being anticipated by Liebenow are overcome.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 2, 5-8, 11-13, 15, 18-21, 24, 30, 35-37 and 45-47 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Liebenow in view of Tomlinson Jr. (U.S. Patent Application Publication No. 2003/0100288). Claim 40 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Liebenow in view of Ackley (U.S. Patent Application Publication No. 2004/0259537). Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Liebenow in view of Tomlinson Jr. and further in view of Pederson (U.S. Patent Application Publication No. 2004/0198403). Claims 31 and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Liebenow in view of Tomlinson Jr. and further in view of Smeets (U.S. Patent Application Publication No. 2002/0132605). Claims 42-44 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Liebenow in view of well known prior art.

As stated above Liebenow fails to teach or suggest a processing unit configured to execute a network association routine to create a sub-network including one or more mobile terminals or digital devices as recited in independent claim 1. Tomlinson Jr. is directed to an enhanced bridge between a power line communication (PLC) system and a radio frequency (RF) communication system. In this regard, Tomlinson Jr. discloses at paragraph [0022] that a controller (118) can be provided with a list of known or vetted RC communication link addresses. However, provision of the list of known or vetted RC communication link addresses is not associated with execution of a network association routine to create a sub-network. In fact, Tomlinson Jr. includes no reference to establishing a network by associating devices, much less executing a network association routine to create a sub-network as recited in independent claim 1. Rather, the list of known or vetted RC communication link addresses of Tomlinson Jr. is merely used for the purpose of enabling the controller (118) to discard messages for which it is requested to forward the message to a non-existent address. In other words, rather than execute a network association routine to create a sub-network including one or more mobile terminals or

digital devices as recited in independent claim 1, Tomlinson Jr. simply discloses providing information to the controller (118) regarding valid address locations. Thus, Tomlinson Jr. also fails to teach or suggest a processing unit configured to execute a network association routine to create a sub-network including one or more mobile terminals or digital devices as recited in independent claim 1.

Ackley, Pederson and Smeets each also fail to teach or suggest a processing unit configured to execute a network association routine to create a sub-network including one or more mobile terminals or digital devices as recited in independent claim 1 and are not cited as such.

Since the cited references each fail to teach or suggest a processing unit configured to execute a network association routine to create a sub-network including one or more mobile terminals or digital devices as recited in independent claim 1, any combination of the cited references likewise fails to teach or suggest the above recited feature. Thus, independent claim 1 is patentable over the combination of the cited references. As stated above, independent claims 17 and 29 also include similar recitations to that of independent claim 1 with respect to execution of a network association routine to create a sub-network including one or more mobile terminals or digital devices and are therefore patentable for at least the reasons given above for independent claim 1. Claims 2, 5-8, 11-13, 15, 16, 18-21, 24, 30-32, 35-37 and 42-44 depend either directly or indirectly from corresponding ones of independent claims 1, 17 and 29, and thus include all the recitations of their corresponding independent claims. Therefore, dependent claims 2, 5-8, 11-13, 15, 16, 18-21, 24, 30-32, 35-37 and 42-44 are patentable for at least those reasons given above for independent claims 1, 17 and 29.

Accordingly, for all the reasons stated above, Applicants respectfully submit that the rejections of claims 2, 5-8, 11-13, 15, 16, 18-21, 24, 30-32, 35-37 and 42-44 are overcome.

CONCLUSION

In view of the remarks presented above, it is respectfully submitted that all of the claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested in due course. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

Chad L. Thorson
Registration No. 55,675

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

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